



# A G E N D A

## OCONEE COUNTY COUNCIL MEETING

### March 7, 2023

### 6:00 PM

Council Chambers, Oconee County Administrative Offices  
415 South Pine Street, Walhalla, SC

#### Call to Order

#### Moment of Silence

#### Invocation by County Council Chaplin

#### Pledge of Allegiance to the Flag of the United States of America

#### Approval of Minutes

February 21, 2023 Regular Minutes

February 24, 2023 Strategic Planning Retreat Minutes

#### County Attorney Comments

#### County Administrator Comments

#### Public Comment Session

*[Limited to a total of forty (40) minutes, four (4) minutes per person]*

*If you are not able to attend in person and you have a comment, you may submit it by emailing [jennifercadams@oconeesc.com](mailto:jennifercadams@oconeesc.com) or calling 864-718-1023, so that your comment may be read into the record.*

#### Council Member Comments

**Public Hearings for the Following Ordinances** *If you would like to be heard during either of the public hearings, please contact Clerk to Council Jennifer C. Adams at [jennifercadams@oconeesc.com](mailto:jennifercadams@oconeesc.com) or 864-718-1023 so that your participation may be coordinated.*

**ORDINANCE 2022-32** AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A PUBLIC INFRASTRUCTURE REIMBURSEMENT AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA (“COUNTY”) AND [PROJECT GREENPAW], WITH RESPECT TO CERTAIN PROPERTY IN THE COUNTY, WHEREBY SUCH PROPERTY WILL BE SUBJECT TO CERTAIN PAYMENTS IN LIEU OF TAXES, INCLUDING THE PROVISION OF CERTAIN SPECIAL SOURCE REVENUE CREDITS TO REIMBURSE [PROJECT GREENPAW] FOR CERTAIN INFRASTRUCTURE COSTS INCURRED; AUTHORIZING THE EXECUTION AND DELIVERY THEREOF; AUTHORIZING THE PLACEMENT OF CERTAIN PROPERTY WITHIN THE BOUNDARIES OF A MULTICOUNTY INDUSTRIAL OR BUSINESS PARK OR THE CREATION OF A NEW MULTICOUNTY INDUSTRIAL OR BUSINESS PARK; AND OTHER MATTERS RELATING THERETO.

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District II

### **Third Reading of the Following Ordinances**

**ORDINANCE 2022-32** [see caption above]

### **Second Reading of the Following Ordinances**

**ORDINANCE 2023-04** AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A REAL PROPERTY LEASE AGREEMENT BETWEEN OCONEE COUNTY AS LESSOR AND THE ROSA CLARK MEDICAL CLINIC ASSOCIATION, INC. AS LESSEE, IN RELATION TO CERTAIN COUNTY-OWNED PROPERTY LOCATED ADJACENT TO THE OCONEE COUNTY MAGISTRATE’S OFFICE LOCATED AT 1600 E. MAIN STREET, WESTMINSTER, SOUTH CAROLINA; AND OTHER MATTERS RELATED THERETO.

### **First Reading of the Following Ordinances**

**ORDINANCE 2023-06** AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY OWNED BY OCONEE COUNTY, CONSISTING OF APPROXIMATELY .15 ACRES AND BEING A PORTION OF TAX MAP # 520-36-10-017 (“PARCEL 1”), AND AUTHORIZING THE RECEIPT OF CERTAIN REAL PROPERTY OWNED BY PINE RIDGE MHC SC, LLC, CONSISTING OF APPROXIMATELY .25 ACRES AND BEING A PORTION OF TAX MAP # 240-00-04-023 (“PARCEL 2”) IN EXCHANGE FOR THE CONVEYANCE OF PARCEL 1; AND OTHER MATTERS RELATED THERETO.

### **First & Final Reading for the Following Resolutions**

*None scheduled for this meeting.*

### **Discussion Regarding Action Items**

#### **Title: Axon Interview Equipment, Software and Storage**

**Department(s): Sheriff’s Office**

**Amount: \$99,772.85**

**Procurement was approved by Council in Fiscal Year FY 2022-2023 Budget process.**

**Budget: \$99,772.85 Project Cost: \$99,772.85**

**Balance: \$0.00**

This purchase is for Axon Interview equipment, software and unlimited Evidence.com cloud storage for the Oconee County Sheriff’s Office. Axon Interview is a cloud-based system that streamlines the interview process and maintains a complete chain of custody with audio and video. This system integrates with the Sheriff’s Office Body Worn Camera’s and allows for any recordings from the cameras to be stored in the Axon Evidence.com Cloud Storage System. This system will allow the OCSO to securely share digital evidence with other agencies or prosecutors without creating copies or requiring the data to leave the agency’s domain of control. Recordings are integrated with the Axon network and security system. Evidence.com provides Chain-of-Custody audit logs that automatically track all system and user activity. These logs cannot be edited or deleted, even by account administrators and IT staff.

Data Security: Robust Transport Layer Security (TLS) implementation for data in transit and 256-bit AES encryption for data in storage with four redundant data centers in the United States.

The Axon Interview Room and Evidence.com Data Management System will include equipment, installation, implementation in four (4) interview rooms at the Sheriff’s Office.

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The cost of this purchase is \$14,642.03 for Hardware / Equipment. Software and Warranties \$17,026.17 per year thereafter. The Software and Warranties for years 2023-2027 will be included in the department's budget requests for corresponding year.

The 5-year Payment schedule is:

March 2023	\$14,642.03 (Equipment and Installation)
August 2023	\$17,026.16 (Software/Warranties)
August 2024	\$17,026.16 (Software/Warranties)
August 2025	\$17,026.16 (Software/Warranties)
August 2026	\$17,026.16 (Software/Warranties)
<u>August 2027</u>	<u>\$17,026.16 (Software/Warranties)</u>
Total	\$99,772.85

***It is the staff's recommendation that Council:***

- 1. Approve entering into a five-year agreement with Axon Enterprises, Inc., of Scottsdale, AZ, for Axon Interview and associated equipment for a total amount of \$99,772.85.***
- 2. Authorize the County Administrator to execute the Payment Schedule Agreement in substantially the same form as attached hereto (or with such material changes as benefit the County, upon advice of the County Attorney), along with such other documents necessary to make this purchase.***

**Title: Change Order # 1 PO #55160 Smith Gardner, Inc.**

**Department(s): Solid Waste**

**Amount: Original Purchase Order: \$ 87,070.00**  
**Change Order 1: \$ 30,000.00**  
**Total: \$ 117,070.00**

**Procurement was approved by Council in Fiscal Year 2022-2023 budget process.**

**Budget: \$ 117,070.00                      Project Cost: \$ 117,070.00                      Balance: \$ 0.00**

At the October 18, 2022 Council meeting, Council approved \$87,070.00 to Smith Gardner, Inc. for Engineering, Permitting, Monitoring and Drilling of additional ground water and stream water monitoring wells at the Seneca Landfill. The project was required by South Carolina Department of Health and Environmental Control (DHEC) to further evaluate and delineate the groundwater contaminant plume that exists beneath and to the east of the closed Class 3 municipal solid waste (MSW) landfill.

Smith Gardner, Inc. subcontracted the well installation to Betts Environmental and drilling started on December 5, 2022, however, due to inclement weather, traversing the work area with the drill rig and support vehicles became almost impossible. Advancement of drilling activities was also significantly slowed due to encountering rock formations as the boreholes were advanced. Work continued until December 19, 2022, when the decision was made to suspend drilling activities until January 2023 to allow for potential breaks in the inclement weather and for site conditions to improve. Well installation activities were reinitiated on January 16, 2023, with well installations completed by January 24, 2023.

Due to inclement weather and encountering rock during the drilling process this caused additional days to complete the project. Staff is requesting Council approval of Change Order #1, PO #55160 in the amount \$30,000.00 to cover the additional cost.

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*It is the staff's recommendation that Council:*

- 1. Approve Change Order #1, PO 55160 to Smith Gardner, Inc. in the amount of \$30,000.00, for a total purchase order amount of \$ 117,070.00.*
- 2. Authorize the County Administrator to execute documents for this change order.*

**Procurement #: RFP 22-07      Title: Hauling and Disposing of Solid Waste**

**Department: Solid Waste**

**Amount: Not to Exceed Approved 2023-2024 Budget Amount**

**Funding will be requested in the 2023-2024 Fiscal budget process.**

In August of 1998, the Seneca MSW Class 3 landfill closed and the Oconee County Transfer Station was opened. In 1998, RFP 97-35 was awarded to Waste Management for a 5-year contract with the option to renew for four (4) additional five (5) year terms. The contract started with a tipping and hauling fee of \$25 per ton and allowed for a CPI increase each year, if requested by Waste Management, and could not exceed 5 percent per year. The last five (5) year term started on July 1, 2018 and ends June 30, 2023. The current tipping and hauling fee for FY23 is \$37.03 per ton.

RFP 22-07, Hauling and Disposing of Solid Waste was issued on November 16, 2022. Two (2) Proposals and One (1) No Bid was received on January 10, 2023. An Evaluation Committee consisting of County Staff reviewed / scored all responses and unanimously recommended Waste Management / R&B Landfill of Homer GA for the award. The tipping fee for this contract is \$48.78 per ton. The contract allows for a CPI increase each year, if requested by the company. This increase is based on the Consumer Price Index and shall not exceed 5% in any one year.

The current contract for Hauling and Disposing of Solid Waste expires June 30, 2023. The contract for RFP 20-07 will begin July 1, 2023 and end June 30, 2033. The County has the option to renew for up to two (2) additional ten (10) year terms, providing the services are satisfactory. This assures the County that the landfill would accommodate ALL the County's MSW waste for the next 30 years.

Based upon the historical tonnage increases, the estimated amount of this contract for FY 2023-2024 is a minimum of 2.5 million, which will be included in the FY 2023-2024 and future years' budgets for the Solid Waste department.

*It is the staff's recommendation that Council:*

- 1. Approve RFP 22-07, Hauling and disposing of Solid Waste, to Waste Management / R&B Landfill, of Homer, GA, in an amount not to exceed the approved 2023-2024 budget amount for the expenditure.*
- 2. Authorize the County Administrator to execute the contract documents and to renew this contract for up to two (2) additional ten (10) year terms, as long as the amount does not exceed the amount(s) budgeted for Hauling and Disposing of Solid Waste and the services provided are satisfactory.*

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**Council consideration and approval of the Oconee County Site Acquisition Grant Application for the SC American Revolution Site Grants: Planning, Acquisition, Development, Renovation Program. [Contingent on grand award.]**

**Department: Administration**

**Project Total: \$225,000.00 / Oconee County Portion: \$45,000.00**

- The application is for site acquisition of a certain historically significant property in Fair Play, South Carolina.
- The purpose of the site acquisition would be for the establishment of a public historic site and for the protection / preservation of historically significant, irreplaceable artifacts and petroglyphs at the location.
- The property is approximately 40 acres and has evidence of Cherokee and American Revolutionary War influence on site.
- The estimated cost is \$225,000.00, 80% of which would be paid for through the grant opportunity, if awarded. The County match would be 20% or \$45,000.00.
- The site is located in close proximity to the interstate, various state parks, residential communities and the Georgia / South Carolina border.

The purpose of this grant application is for the acquisition of a certain historically significant property, located off Highway 11 in Fair Play for the purpose of establishing a public historic site and preserving artifacts and petroglyphs on the property. The site acquisition is contingent on the award of the grant. The balance of funding needed for the site acquisition grant would come from the Capital Projects Fund and would not exceed \$45,000.00. The allocation of funds is contingent on the award from the SC American Revolution Site Grants: Planning, Acquisition, Development, Renovation Program.

*It is the staff's recommendation that Council support the site acquisition grant application for the purpose of acquiring the historically significant site, and approve the commitment for matching funds, if awarded.*

**Council Committee Reports**

*Law Enforcement, Public Safety, Health & Welfare / Mr. Davis .....February 21, 2023*

**Board & Commission Appointments**

*The Board & Commission seats listed below are co-terminus with Council District seats and will require [in the 1st quarter of 2021] appointment and/or reappointment as follows:*

***Building Codes Appeal Board ..... 1 At Large Seats***

At-Large: 1 questionnaire requesting re-appointment  
1 questionnaire requesting initial appointment

***Conservation Bank Board..... District IV Vacant Seat***

District IV: 1 questionnaire requesting appointment

***Board of Zoning Appeals ..... District I***

District I: 1 questionnaire requesting re-appointment

***Planning Commission ..... District I District III At-Large***

District I: 1 questionnaire requesting re-appointment  
2 questionnaire requesting initial appointment

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***Agriculture Advisory Board.....District II & At-Large Vacant Seats***

District II: 1 questionnaire requesting appointment

1 At-Large: 2 questionnaires requesting appointment

**Oconee Economic Alliance Member Appointment by Council**

**Executive Session**

*[upon reconvening Council may take a Vote and/or take Action on matters brought up for discussion in Executive Session, if required]*

- 1. Receive legal advice and discussion opioid litigation and recent settlement developments.*
- 2. Receive legal advice related to code enforcement procedures and prospective litigation.*
- 3. Discussion regarding an Economic Development matter, Project Feather.*
- 4. Council discussion of a personnel matter related to the County Administrator.*

**Adjourn**

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